



## **The Voice of Small Business**

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### **Testimony on Legislation to Clarify Underground Tank Clean-Up Regulations Before the House Natural Resources Committee Tuesday, March 6, 2012**

My name is Charlie Owens and I am the State Director for the National Federation of Independent Business, an advocate for Michigan small businesses owners since 1943. We are here today to support Senate Bills 528 - 533 that would clarify and bring some specificity to the regulations dealing with underground tank cleanups.

As is evidenced by previous testimony and complaints we have received from small business owners, the Department of Environmental Quality (DEQ) has been pursuing a "make it up as you go along" policy when it comes to letting property owners and businesses know when a site is finally cleaned up. As a result of this policy, businesses and property owners have difficulty in getting financing and often many of them will just give up and the site becomes "orphaned" and local governments and taxpayers get stuck with the bill.

Previous testimony has indicated that almost half of all the underground tanks identified in the state are "orphaned" where there is no responsible party attempting to clean up the site. In addition, Michigan is renowned to have the most difficult clean up process and standards in the country.

These bills, which have already passed the Senate, would create specific standards and procedures for declaring a site closed and cleaned that the DEQ would have to follow. This would end the current practice where the DEQ seems never to be satisfied with a site clean up. Every time an owner thinks they have met the requirements, it is often reported that DEQ staff come up with a new step, test, process or requirement that is not specifically required in the law. These bills will end that type of agency staff "freelancing" that is impeding the ability of tank owners to move forward, resolve the problem, and create jobs in expanding their business and operations. Where a specific business is not involved, these bills would provide for a quicker and more certain clean up process that will restore the property back to its' highest and best use, also an economic advantage for all.

We urge members of the Committee to support Senate Bills 528-533 so Michigan can continue to move forward and improve our economy.

Thank you for your support of small business.